

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

FREI et al.

Examiner: Unassigned

Appln. No.: 09/402,633

Group Art Unit: 2756

Filed: May 25, 2000

FOR: METHOD OF MANAGEMENT IN A CIRCUIT-SWITCHED COMMUNICATION
NETWORK AND DEVICE WHICH CAN BE USED AS A NODE IN A CIRCUIT-
SWITCHED COMMUNICATION NETWORK

September 6, 2001

REQUEST FOR REFUND

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

On December 14, 1999, our Deposit Account was charged \$260 for the presence of multiple dependent claims, \$792 for additional claims over twenty, and \$234 for independent claims over three. On June 27, 2000, a credit appeared on the PTO statement for this file in the amount of \$198. Copies of our Deposit Account Statements are attached. All of these entries should be reversed.

This application is a nationalization of a PCT application. The original papers were filed on October 7, 1999. At that time, we did not file the Declaration for this application and only paid the required basic National Fee of \$840. We intentionally did not pay the claims fees, but instead chose to wait for Notification of Missing Requirements under 35 U.S.C. §371..., as is specifically authorized by 37 C.F.R. §1.492(g).

We filed the Declaration together with a Preliminary Amendment that extensively changed the claims on December 22, 1999. On that date, we also submitted a check in the amount of \$1,348 that covered the various claims fees, the late filed Declaration fee and the Assignment processing fee.

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#10-Req for refund
2/25/03

FREI et al. - U.S. Application No.: 09/402,633

Our Deposit Account was charged for the claims fees prior to consideration of our December 22, 1999 filing. This was improper. Therefore, our account should be credited for these amounts charged. We have been unable to determine how the PTO calculated the credit provided to our account on June 27, 2000. This credit should probably be reversed also.

We further note that the fee that was paid on December 22, 1999 included \$260 for multiple dependent claims. This was in error. The Preliminary Amendment filed on the same date eliminated all multiple dependencies.

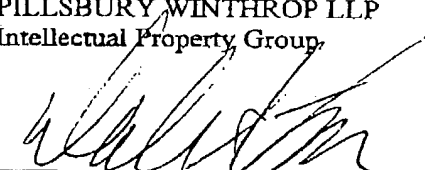
In view of the above, it is respectfully requested that the charges to our Deposit Account on December 14, 1999 be credited back to our account, the credit provided to our account on June 27, 2000 be reversed, and our account be credited in the amount of \$260 for the multiple claims fee erroneously paid by check on December 22, 1999. **For convenience, this Request is submitted in duplicate.**

Thank you for your attention to this request. If there are any questions, please contact the undersigned at the telephone number listed.

Respectfully Submitted,

PILLSBURY WINTHROP LLP
Intellectual Property Group

By:


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T-306 P.006/006 F-651


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FINA

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10	99	58	09451149	8378/264856	704	DSL -78.00	9343.65
13	99	8	09115621	PMS253529	561	15.00	9328.65
13	99	11	41822/ 08978518	258958 SOR-400	116	WPB 380.00	8948.65
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13	99	104	71180/ 09056927	PMS-243375	103	108.00	8790.65
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